

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MARYLAND**

DEUTSCHE BANK TRUST CO., et. al.

Plaintiff

V.

No. 8:11-cv-1510 (AW)

**REX STURM, as TRUSTEE OF
THE REX L. STURM TRUST**
a Trust Entity; et. al.

Defendant

MOTION TO DISMISS

The defendant REX L. STURM, as Trustee of THE REX L. STURM TRUST, by and through its attorneys, Dennis M Ettlin and Brown and Sturm, moves to dismiss this Complaint as to this defendant, pursuant to Fed. R. Civ. P. 12 (b). In support of this motion, the defendant says that the plaintiff:

1. This Court lacks subject matter jurisdiction;
2. The Plaintiff lacks personal jurisdiction over this defendant;
3. This is not the proper venue for this action;
4. Service of process on this defendant is insufficient;
5. The plaintiff's claim fails to state a claim upon which relief can be granted.

Respectfully submitted,

BROWN AND STURM

By: s/
Dennis M. Ettlin
260 East Jefferson Street
Rockville, Maryland 20850
(301) 762-2555
Attorneys for Defendants
Rex L. Sturm, The Rex L. Sturm
Trust; and Phonovisual, Inc.

CERTIFICATE OF MAILING

I CERTIFY that on this 21 day of November, 2011, I mailed a copy of this Motion to Dismiss to each of the following as counsel for the Plaintiff by first class mail postage prepaid at 1333 New Hampshire Avenue, N.W. Washington, D.C. 20036; and by electronic delivery to the United States District Court for the District of Maryland:

AKIN GUMP STRAUSS HAUER & FELD LLP
Anthony T. Pierce, Esq.(D. Md. Bar No. 13321)
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Deborah J. Newman, Esq. (pro hac vice)

____s/____
Dennis M. Ettlin